

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE ORGANOGENESIS SECURITIES  
LITIGATION

Case No.: 1:04cv10027-JLT

**PLAINTIFFS' NOTICE CONCERNING MOTION FOR PROTECTIVE ORDER  
DISALLOWING THE DEPOSITIONS OF DR. RICHARD S. CONEN AND  
JOHN H. BOWIE, JR.**

Plaintiffs, by their counsel, respectfully submit this notice concerning their Motion For Protective Order Disallowing The Depositions Of Dr. Richard S. Conen And John H. Bowie, Jr. (the "Motion") in order to apprise the Court of a new development relevant to the Motion.

As one of the grounds for the Motion, Plaintiffs informed the Court of a family emergency that left Mr. Bowie's daughter incapacitated and required that Mr. Bowie devote substantial attention to caring for his daughter and his daughter's children. *See* Plaintiffs' Memorandum Of Law In Support Of Motion For Protective Order Disallowing The Depositions Of Dr. Richard S. Conen And John H. Bowie, Jr. at 3, 10, n. 6; Declaration of John H. Bowie, Jr. In Support Plaintiffs' Motion For Protective Order at ¶¶ 3-6. The immediate emergency involving Mr. Bowie's daughter has passed, although given the nature of her illness, there is the possibility that the emergency may recur in the future at any time. Plaintiffs no longer rely upon the former emergency as one of the grounds for the Motion.

All other grounds for the Motion, however, as set forth in Plaintiffs' Memorandum of

Law in support of the Motion, remain in force and Plaintiffs respectfully request that the Court grant the Motion.

Dated: January 20, 2007

**MOULTON & GANS, P.C.**

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**CERTIFICATE OF SERVICE**

I, Nancy Freeman Gans, hereby certify that the above document was served by ECF filing upon the attorney of record for each party on January 20, 2007.

/s/Nancy Freeman Gans  
Nancy Freeman Gans